



ព្រះរាជាណាចក្រកម្ពុជា
ជាតិ សាសនា ព្រះមហាក្សត្រ

អង្គជំនុំជម្រះវិសាមញ្ញក្នុងតុលាការកម្ពុជា
Extraordinary Chambers in the Courts of Cambodia
Chambres Extraordinaires au sein des Tribunaux Cambodgiens

Kingdom of Cambodia
Nation Religion King
Royaume du Cambodge
Nation Religion Roi

អង្គជំនុំជម្រះសាលាដំបូង
Trial Chamber
Chambre de première instance

សំណុំរឿងលេខ: ០០១/១៨ កក្កដា ២០០៧/អវតក/អជសដ
Case File/Dossier No. 001/18-07-2007/ECCC/TC

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Before: Judge NIL Nonn, President
Judge Silvia CARTWRIGHT
Judge YA Sokhan
Judge Jean-Marc LAVERGNE
Judge THOU Mony

Date: 6 October 2009

Classification: PUBLIC

ឯកសារចម្លងតាមប្រព័ន្ធគ្រប់គ្រងឯកសារ
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DECISION ON THE ORAL REQUEST OF LAWYERS OF CIVIL PARTY GROUP 1 TO BE ALLOWED TO FILE NEW MATERIAL

Co-Prosecutors

CHEA Leang
William Smith (acting)

Accused

KAING Guek Eav alias "DUCH"

Lawyers for the Civil Parties

KONG Pisey
HONG Kimsuon
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Fabienne TRUSSES-NAPROUS
Christine MARTINEAU

Lawyers for the Defence

KAR Savuth
François ROUX
MARIE-PAULE CANIZARÈS



THE TRIAL CHAMBER of the Extraordinary Chambers in the Courts of Cambodia (“ECCC”);

BEING SEISED of the oral request of the Lawyers of Civil Party Group 1 of 16 September 2009 to file and admit material before the Trial Chamber pursuant to Rule 87(4) of the ECCC Internal Rules;

NOTING the Trial Chamber’s oral directions of 27 August 2009, which established 3 September 2009 as the deadline for the filing of material relevant to Civil Party applications and claims;

FURTHER NOTING the Trial Chamber’s decision of 4 September 2009 (Document E163/2) in which it extended the time limit for the Lawyers of Civil Party Group 2 to submit material that could, according to their request, only be acquired under difficulties;

CONSIDERING that the time for the filing of material by Civil Parties relevant to their applications and claims has expired and that an extension of the time for filing a document can only be granted in accordance with Rule 39(4) of the ECCC Internal Rules;

NOTING that the Lawyers of Civil Party Group 1 have provided no compelling reasons as to why the material was not filed before the expiry of the time limit;

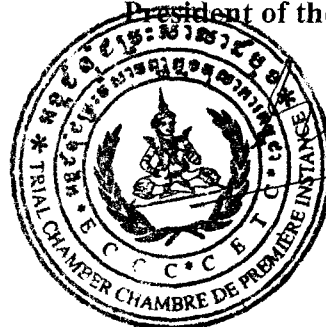
FURTHER NOTING the oral submissions of the Lawyers of Civil Party Group 1 which, to the contrary, acknowledge that the material in question was available prior to 3 September 2009;

CONSIDERING that the Lawyers of Civil Party Group 1 have in the meantime submitted the material for filing with the Greffiers of the Trial Chamber on 28 September 2009, together with an accompanying request entitled “Request under Internal Rule 87(4) for the Admission of new Evidence” (“Request”);

REJECTS the oral request for the filing of the material and consequently the filing of the Request and of the material annexed thereto. *mmr go*

Phnom Penh, 6 October 2009

President of the Trial Chamber



[Signature]
Nil Nonn